

**488.1003 Proper plaintiff.**

A derivative action may be maintained only by a person that is a partner at the time the action is commenced and where one of the following also applies:

1. The person was a partner when the conduct giving rise to the action occurred.
2. The person's status as a partner devolved upon the person by operation of law or pursuant to the terms of the partnership agreement from a person that was a partner at the time of the conduct.

[2004 Acts, ch 1021, §86, 118; 2005 Acts, ch 19, §71](#)